IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY APPLICATION NO. 346 OF 2004

Bombay Suburban Finance &
Investment Company Private
Limited. ...Applicant.

Shri Rahul Chitnis with Rajat Mukherjee i/b DSK Legal
for the applicant.

CORAM: V.M.KANADE,J.

DATE: 27th August, 2004

PC:.

1. Heard the learned Counsel appearing on behalf of the applicant.

2. Applicant has filed Company Application No.346 of 2004 under section 391(1) and 394 of the Companies Act, 1956. The applicant - Company along with the Company Application has filed letters of consent of the shareholders which are annexed at Exhibits-"G1 to G3" to the affidavit of N. Asthana dated 11th August, 2004. The applicant - Company has also annexed to the said affidavit at Exhibit-"H" the list of its shareholders and list of preference shareholders. On the last occasion, applicant - Company was directed by this Court to file an affidavit stating that all the creditors have been paid. Accordingly, an affidavit dated 26th August, 2004 has been filed by the

applicant - Company stating therein that based on the unaudited balance sheet of the applicant - Company as on 31st March, 2004, all the creditors have been paid. The unaudited Balance Sheet of the applicant - Company is annexed at Exhibit-B to the said affidavit of N. Asthana dated 26th August, 2004. In para 5 of the said affidavit, it is further stated that the Company has paid off all its creditors after 31st March, 2004 till the date of filing of the Company Application. In view of this, order is passed in terms of the minutes of the order dispensing with the holding of meeting of shareholders and preference share holders and also meeting of the creditors. Minutes of the order is taken on record and marked "X".

3. Order in terms of the minutes of the order.

V.M. KANADE, J.